

Oct 12, 2022

BY HAND

Judge Jesse M. Furman  
 U.S. District Judge  
 SDNY  
 500 Pearl Street  
 New York, NY 10007

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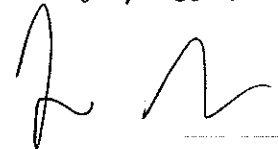
RE: U.S. v. Schulte, S3 17 CR 548 (JMF)

Dear Judge Furman:

I write with respect to my ability to review discovery and the government's new CP investigation.

As an initial matter, it should be extraordinarily easy to confirm that I never removed anything from the SCIF — the government need only review the removable media logs from all the confiscated computers from the SCIF and cross reference this with the removable media logs from my discovery laptop — any match would indicate the possibility of data transfer, but there will be no match since no drives were ever removed from, or introduced to, the SCIF. This should take less than a week. I ask the Court to order the tests conducted so that I can clear my name from the government's latest allegations against me. Once cleared, I ask to return to the SCIF to continue reviewing my discovery. Specifically, the primary server I ran from my apartment is critical to the defense, but was deemed "classified" because one of the users viewed the Snowden files published on the internet. As the Court may recall, I moved to declassify this server last year, but the government opposed and the Court denied the motion. As long as the government maintains that this server is classified, I will need to review it in the SCIF.

Next, I have been unable to review any of my discovery for the CP case since the confiscation of the laptop in July — the MDC's discovery review computer does not permit the software necessary for the review of my discovery. And additionally, the government recently seized all my discovery drives. Some solution is required that I may review my discovery and assist in trial preparation.

Respectfully Submitted,  
Josh Schulte  


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